

Then there is ObamaCare, which has meant soaring premiums and huge deductibles for way too many American families. Being in the middle class was once associated with financial security. With a little prudence, middle-class families could be expected to see their kids through college and to retire comfortably. No more.

In the Obama economy, the future is less secure. Household income not only failed to rise over the past 5½ years, it has actually dropped by \$3,500 under the President's watch. Wages have remained flat and economic growth has been tepid at best. Middle-class families are no longer looking forward to a future of economic security. Instead, they are praying they do not get hit with any unexpected bills. They are worrying that they will not be able to send their kids to college, and they are wondering how long they will have to work past retirement to the economic security they need.

In a previous America, low-income families could confidently expect that effort and hard work could bring them into the ranks of the middle class. How many of our parents started out living on a shoestring but ended up sending their kids to college and retiring comfortably?

Today, though, opportunities to reach the middle class are few and far between. Fourteen million more Americans are on food stamps today than when the President took office. Democratic policies such as the ObamaCare 30-hour workweek are hitting low-income Americans the hardest. Many of the better paying jobs lost during the recession are not being replaced. Seventy-eight percent of the jobs lost during the recession were high- or mid-wage jobs, but just 56 percent of the jobs recovered have been high or mid-wage jobs. That means almost half of the new jobs that have been created are low-wage jobs. That is not the kind of climate that enables upward mobility.

The worst part is it does not look as though things are going to get better anytime soon. This week the International Monetary Fund announced it now predicts the United States economic growth rate will not exceed 2 percent this year. That is not anywhere close to the kind of growth we need for a real recovery.

The New York Times reported last week, "The Federal Reserve, persistently optimistic in its previous forecasts, said in March that it no longer expected a full recovery in the foreseeable future." Let me repeat that. The Federal Reserve said it no longer expected a full recovery in the foreseeable future.

Four years ago President Obama and his administration proclaimed the advent of the summer of economic recovery. President Obama claimed the economy is headed in the right direction. Vice President BIDEN confidently predicted in April of 2010 that sometime in the next couple of months we are going to be creating between 250,000

jobs a month and 500,000 jobs a month. In August of that year, Treasury Secretary Timothy Geithner published an op-ed in the New York Times entitled, "Welcome to the Recovery."

Well, as the American people know, recovery summer never materialized. Four years later the American people are still waiting. According to the Federal Reserve, they are going to have to wait longer. In 2009, the President's economic advisors predicted that unemployment would fall below 6 percent in 2012. Two years later, unemployment is still firmly stuck above 6 percent. The Federal Reserve Bank in San Francisco has suggested that 6-percent unemployment should be considered the "new normal."

I do not accept that. Republicans do not accept that. We do not accept 6.3 percent unemployment, sluggish economic growth, and struggling middle-class families as the new normal, because it does not have to be that way. We can get our economy going again. But it is going to take something a lot different than the policies of the past 5½ years. It is going to take the kind of policies that remove families' burdens, instead of increasing them. It is going to take policies that encourage businesses to create jobs, not to cut jobs. Republicans have a lot of ideas about how to get started, ideas such as repealing the ObamaCare medical device tax that has already killed tens of thousands of jobs and will kill thousands more if it is not stopped or restoring the 40-hour workweek so businesses will no longer be forced to cut employees' hours under ObamaCare's mandates or stopping the President's national energy tax which would make it more difficult for American families, particularly low-income families, to afford gas, heating, and electricity or enacting trade promotion authority to open new markets to American farmers, workers, and businesses, and to create new good-paying jobs for American workers.

The list goes on. These are just a few of the ideas Republicans have to get our economy going again.

If Democrats were serious about wanting to help American families, they would be working with Republicans to help us get legislation passed. We don't have to accept the President's economy as the new normal: chronic high unemployment, sluggish growth, massive amounts of debt. That shouldn't be the norm, and we shouldn't be satisfied with it.

Republicans are going to be working every day to ensure it isn't the new normal, and we will continue working until our economy is flourishing again and every American has the opportunity for a good job and a prosperous and secure future. We hope Democrats will work with us toward that end. It means opening this floor of the Senate to legislation that will grow our economy, create jobs, and allow us to openly debate, allow us to offer amendments, something that hasn't happened for the past year.

Since July of last year, there have been only nine Republican amendments voted on on the floor of the Senate—nine—nine amendments in almost a year. The ironic thing about that is the same procedures that are being used to block Republican amendments are also blocking Democratic amendments. So in that same timeframe Democrats have only had seven amendments voted on in the past year.

In the world's greatest deliberative body, the place where we are supposed to have open debate and an open amendment process, Republicans had nine amendments voted on. We could take that as a personal affront, but that is not what it is about. It is about the people whom we represent because they elect us here to come out, represent them, and to make sure their voices are heard in the political processes in the debates we have in Washington on the big issues that are important to them and their families. So when amendments are blocked and this process is shut down on the floor of the Senate, it is the people's voices who don't get heard and don't get represented. That has to change, and it needs to change soon, because the issues are big, and the problems and the challenges that face middle-income families are consequential.

Many of us in this Chamber come here every single day hoping to offer legislation and amendments that we believe will be solutions to getting the economy growing again and to create jobs. Every single day for the last year, at least, we have been shut down.

We can do better by the American people. They deserve better. I hope we will do better, and we can start now.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:47 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

NOMINATION OF PETER JOSEPH KADZIK TO BE AN ASSISTANT ATTORNEY GENERAL—Continued

The PRESIDING OFFICER. Who yields time? If no one yields time, time will be charged equally to both sides.

The Senator from Idaho.

TRIBUTE TO LEONARD N. "BUD" PURDY

Mr. RISCH. Madam President, I rise today to pay tribute to one of Idaho's legendary ranchers and conservationists, Leonard N. Purdy, who was known to all of us as Bud Purdy. Bud passed away on April 14, at the age of 96, at his home on Silver Creek in Picabo, ID.

Bud never called himself a cowboy, but when I think of an Idaho cowboy, Bud is the one who frequently comes to mind. As many have said, he was the definition of the values we attribute to

cowboys—hard work, common sense, persistence, determination, faith in others, honesty, and, to me, a true friend. Bud demonstrated these every day in life on the ranch, at the store and the grain businesses he owned, and especially among family, friends, and in the community.

I think the love of ranching was just in his blood, an inherited trait. After graduating from Washington State University in Pullman, Bud went to work on his grandfather's ranch. He worked his way up to managing the Picabo Ranch and then he bought it. He also bought the Picabo Store and Silver Creek Supply—a grain elevator and seed business.

Bud was known by all for his love of the cattle industry. He enjoyed moving cattle, riding the fences, and moving and checking water, some of which he did long after most would have retired. He was a real Idaho cowboy. In fact, Bud helped get the Idaho Cattle Association started, where he served as president and was a longtime member of the board.

Bud was one of the larger-than-life Idahoans who helped make the Gem State a great place to live, work, and play. Working the land for livestock grazing, Bud recognized the value of conserving for future generations, so some 20 years ago he donated a 3,500-acre conservation easement along Silver Creek to the Nature Conservancy—a contribution valued at \$7 million. Yet Bud—true to his character—did not even take the associated tax deduction.

Clearly, like he valued the land, Bud valued Idaho. He had natural leadership talent which was called on time and again in community and industry organizations. He served on the Idaho Rangeland Committee and the National Bureau of Land Management Advisory Council. Bud also gave time to foundations of the University of Idaho and College of Southern Idaho and the Blaine County Medical Center. In addition, he helped raise funds for the new St. Luke's Hospital. Bud also helped establish the Idaho Association of Commerce and Industry, where he also served as chairman. IACI, as it is known, is a strong and well-respected group fostering business interests in Idaho.

Amazingly, Bud found time for hunting, skiing, fishing, and flying. Among those he hosted, hunted, and skied with were Ernest Hemingway, Jimmy Stewart, and Gary Cooper—all frequent visitors to his ranch on Silver Creek.

Flying became a passion. He checked the ranch from the air and piloted to many meetings across the State and Nation. As late as last year, he and his son Nick flew to California to attend a meeting. At the time of Bud's passing, he was the second oldest pilot in Idaho. He once told me he hoped he could fly long enough to be the oldest pilot in Idaho. Unfortunately, he didn't quite make it. But if there are planes in Heaven, Bud is definitely flying one today.

Among the many honors and awards Bud received were an induction into the Idaho Hall of Fame, an honorary doctorate in range science from the University of Idaho, the Idaho Statesman Distinguished Citizens Award, and serving as grand marshal of the 2013 Ketchum Wagon Days Parade.

As busy as he was, Bud was always a family man. He and his first wife Maxine Dahl had three children—Nick, Mark, and Kris. Nick continues the family ranching legacy. In 1952 Bud married Ruth Eccles. Her son Gordon helped manage the Picabo Store. Throughout the years, Bud employed other family members as well. In fact, you could say the town of Picabo is successfully run and managed by the Purdy family.

Idaho has lost one of its most beloved and respected citizens, but Idaho and our great Nation are better places for the accomplishments and contributions of Bud Purdy. The legacy he leaves the world is one we all would do well to emulate.

Bud, a grateful Idaho and nation will miss you.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BORDER SECURITY

Mr. CORNYN. Madam President, I am returning to the Senate floor to talk once again about the wave of migrant children who are coming across the U.S.-Mexican border unaccompanied by adults. So far this year, since October, 47,000 unaccompanied minors have been detained at the border, most of them coming not from Mexico, which obviously is closer to the United States, but from as far away as Central America and beyond.

To put this in some context, from Guatemala City, Guatemala, to McAllen, TX, is roughly a trip of 1200 miles. I have spoken many times and I will continue to speak to anyone who will listen about the horrific and dangerous conditions these children and other migrants travel just to get to the United States. Thousands of migrant children, almost all of whom come from Honduras, Guatemala, El Salvador, and Mexico are currently being held in U.S. military facilities such as Lackland Air Force Base in San Antonio, TX. While Federal, State, and local officials try to figure out, No. 1, who they are—find out what their identity is, because many of them show up without any identification—they try to figure out, well, do they have any relatives here in the United States or possible legal guardians? Then they have to decide what to do with them while

their cases are being processed. Obviously since the majority of them come from countries other than Mexico, they cannot just be turned back, particularly in the case of minor children, some of whom have been reported to be as young as 5 years old. The average age is roughly 14 years old, but still when I describe, as I will today and will continue to do, the horrific conditions under which these migrant children travel from Mexico and up from Central America, no one in their right mind would want to have their child subjected to that sort of potential and reality of abuse and mistreatment.

I am glad the President has asked Vice President JOE BIDEN to travel to Central America, but I worry that so far I haven't heard any plan whatsoever that would stop the flow of these unaccompanied children from Central America and Mexico.

As you can imagine, this is a bureaucratic nightmare, trying to figure out how to deal with this mass of humanity coming across the border. In fact, the Border Patrol is spending so much time trying to take care of the humanitarian crisis that they are neglecting some of their principal responsibilities, which are to stem the flow of illegal immigration and drugs across the border. So this is diverting law enforcement from its assigned role just to deal with the temporary crisis. At least I hope it is temporary.

The authorities in South Texas and the Rio Grande Valley do not have the resources or the manpower to handle such a massive influx of unaccompanied children. In terms of the children who have been released from U.S. custody, we still don't know how many of their "temporary guardians" are themselves illegal immigrants. We don't know because I assume there is not a background check conducted on them. I hope I am wrong. But I hope we don't find out that some of these unaccompanied minors are being turned over to relatives who are themselves perhaps criminals or sex offenders. In other words, we have no idea, because the President has not spoken out, what kind of plan there is to make sure of the conditions these children are living in or what sort of potential abuse they might suffer. It is an awful situation any way you look at it.

What makes it even more outrageous is it is directly the result of the impression that President Obama is uninterested in enforcing our immigration laws, specifically his refusal to enforce and his granting of so-called deferred action programs he announced in the Rose Garden 2 years ago.

To be fair to the President and the Senators who voted for the Senate immigration bill, it would have, if signed into law, granted a deferred action for a certain class of minors, so-called DREAM Act kids. But none of these children entering the country currently qualify or would qualify for either the President's deferred action order that he issued unilaterally or the

Senate-passed DREAM Act provisions. So we know they are entering in violation of American law, but there are no negative consequences associated with it as long as they are basically accommodated in the United States.

As a result, the number of children entering the country, together with the number of adults, is simply skyrocketing. As I said previously, to start with, it was estimated that 47,000 have been detained so far this year, and that this entire calendar year there will be as many as 60,000. Next year the numbers are expected to double to 120,000 children.

The fact is this is not just affecting States such as Texas, a border State, or even Arizona or California. This is affecting States such as Virginia, Maryland, Oklahoma, and other places where the Federal Government is simply looking for a place to warehouse these children while it figures out what to do with them.

Of course, the ensuing crisis has prompted a fresh debate over security conditions at the U.S.-Mexican border. As the debate goes forward, it is worth considering exactly what we mean when we talk about border security, because I fear it is a term that is often misunderstood.

Border security is not just about catching people along the Rio Grande or checkpoints in places such as Falfurrias or Sarita, it is also about deterring potential illegal immigrants from starting out from their home country on such a dangerous journey in the first place. My friend Congressman HENRY CUELLAR from Laredo said, for example, when you play football you don't just defend at the goal line; you start 20 yards from the goal line, you start at midfield and on the other team's turf. So we need to make sure we have a comprehensive approach and a plan to deal with illegal immigration into the country, as I said, hopefully with the goal in large part of deterring parents from turning their children over to the hands of the drug cartels and other transnational criminal gangs and sending them on this perilous and horrific journey north to the United States.

This journey from Central America to southern Mexico to the U.S. border is one of the most dangerous journeys anywhere in the world. Indeed, every single corridor is controlled by transnational criminal drug organizations, including drug smugglers and cartels. They prey on the weakest and most vulnerable people they find. They will rob them, they will sexually assault them, they will kill them if need be in order to suit their purposes. Not surprisingly, the ongoing surge of Central American migrants has been an absolute gift to the Mexican drug cartels and their gangland affiliates. As an Austin-based immigration lawyer told the L.A. Times recently: "The smugglers are milking this situation for all it's worth." This is money in the bank for the drug cartels and the human

smugglers, the people who prey on the most vulnerable people who are smuggled in from Central America and Mexico to the United States. That is how they make their money. That is their business model, so to speak.

President Obama has often defended his immigration policies as a humane response to a broken system. I would be among the first to acknowledge that America's immigration system is indeed broken, but there is nothing humane about incentivizing people who risk their lives and their children's lives by traveling through the most dangerous smuggling corridors in the Western Hemisphere. There is nothing humane about incentivizing people to pay human traffickers for transportation through Mexico.

Yet when the administration deliberately refuses to enforce our immigration laws and talks daily about its investigation into changing repatriation policies, it effectively tells people in Mexico and Central America that if they make it across to the U.S. border they will almost certainly be allowed to stay. When the administration does those things, it is effectively encouraging poor, vulnerable immigrants to embark on a treacherous and often deadly journey.

As I said, the journey is especially treacherous for young migrant women and children. The migrant women are frequently raped, kidnapped, and sold to sex traffickers. Some experts believe that 6 out of 10 of the migrant women who traverse this dangerous territory are sexually assaulted. It is truly appalling and without question one of the worst human rights nightmares anywhere in our hemisphere. For that matter, it is likely getting worse. A new Congressional Research Service memo indicates that girls and children below the age of 13 represent a growing number of unaccompanied minors who are being apprehended at the southern border. Needless to say, as more and more migrant children travel through Mexico, more will be forced into sex slavery and prostitution.

I think we all agree that the status quo is simply intolerable and unacceptable.

So what is the solution? Well, I spent the past couple of days urging the President to take a few basic steps that would help curtail the seemingly endless flow of unaccompanied minors up through this dangerous smuggling corridor. The steps I have outlined I think reflect common sense. For starters, the President of the United States must make it abundantly clear to everyone that his deferred action program on deportation does not apply to the children who are now streaming across our border in floodlike proportions. If the President himself were to make such an announcement, it would get noticed.

Right now Central American newspapers as well as the criminal cartels are actively spreading the word that if you turn yourselves over to us and pay our price to get smuggled into the

United States, you can get free passage and stay, because they are saying you will not be repatriated.

If the President also worked with the Mexican Government to help secure its southern border with Guatemala—that border is about 500 miles long and it is currently the place the migrants come from Central America into Mexico to begin that long, perilous journey, many on a train system that has become known as The Beast or The Beast of Death, which has been written about a lot. If the President were to help provide Mexico, in consultation with our Mexican friends, a way to help secure that border, it would help stem more than half the flow of migrants including these unaccompanied children from Central America. And if the President sent the message, contrary to what he has done recently, that he is committed to enforcing all of our immigration laws until Congress and the President can engage in our constitutionally required process of amending those laws, then the tide of children flooding across South Texas might soon be reversed.

I wish I had confidence that President Obama would take the actions I have described. His record on immigration and border security, unfortunately, inspires no confidence that he will.

To reiterate, once again, solving this crisis isn't simply about securing America's southern border. It is not just about goal-line defense, in the words of Congressman CUELLAR, it is about enforcing our immigration laws. It is about saving mothers and daughters, fathers and sons, from contact with some of the most brutal criminal organizations on the planet.

I hope the President is listening. I am encouraged that Vice President BIDEN is traveling to the region, but, of course, we know that Central America, the government there, has deteriorated to the point that it has become an increasingly dangerous place. That is another one of the arguments that is made, that people are simply fleeing from violence in those Central American countries. I certainly am sympathetic, but the fact is the United States cannot absorb people from every part of the globe who want to come to the United States without imperiling our way of life. So what we need to do is find a way to control immigration through legal channels, and we need to send the message to other countries that you cannot come here with impunity and simply overwhelm our ability in the United States to take care of legal immigrants.

The President can do a lot. Sending Vice President BIDEN to Central America is a start, but what we need is a plan along the lines I have outlined in order to stem this humanitarian crisis that is occurring not just in South Texas but is being spread to Virginia, Maryland, Oklahoma, Arizona, and California, because that is where these children are being sent in the custody

of the Federal Government—basically in warehouses or it occurs to me that this is more like a refugee camp on American soil. This is not the way we would want our children to live, and this is not the way we should want other parents' children to live. We will take care of them to the best of our ability while they are here, but what we need is an unequivocal message that says America does not have an open border and that parents should not turn their children over to these dangerous drug cartels and human smugglers in order to come to the United States.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS HEALTH CARE

Mr. SANDERS. Madam President, what the recent crisis at the Veterans' Administration has taught us is that the cost of war does not end when the last shots are fired and the last missiles are launched. The cost of war continues until the last veteran receives the care and benefits that he or she has earned on the battlefield. In other words, the cost of war is very expensive. It is expensive in terms of human life, in terms of human suffering, and in terms of financial commitment.

The cost of war in Iraq and Afghanistan alone is almost 7,000 dead. The cost of war is some 200,000 men and women coming home from those wars with post-traumatic stress disorder or traumatic brain injury. The cost of war from Iraq and Afghanistan is that many of our veterans have come home without arms or legs or eyesight or without their hearing. The cost of war is tragic suicides taking place all over this country from people who have returned from war.

The cost of war is veterans coming home unable to find jobs and get their feet back on the ground financially. The cost of war is high divorce rates and the impact that family stress has on kids. The cost of war is widows suddenly having to start their life anew without the person they married at their side.

Two weeks ago Senator McCain and I hammered together a proposal to deal with the current crisis at the VA, and I thank him very much for understanding the need to move forward expeditiously.

Last Wednesday this legislation passed the Senate by a vote of 93 to 3, and I thank all of the Members in both political parties for voting for this bill. I thank them for understanding that we need to continue moving forward on this legislation as quickly as possible and in a nonpartisan way.

A recent VA audit revealed that more than 57,000 veterans are waiting

to be scheduled for medical appointments. They are in facilities where the waiting lists are much too long. That, to my mind, is clearly an emergency situation.

I thank all of those Senators who not only voted to pass this bill but, perhaps more importantly, voted to pay for this bill through emergency funding. I could not agree more with Senator McCain when he said:

If there is a definition of emergency, I would say that this legislation fits that. It is an emergency. It is an emergency what is happening to our veterans and the men and women who have served this country. And we need to pass this legislation and get it in conference with the House as soon as possible.

I fully agree with Senator McCain's sentiment. Madam President, 93 Senators—in a strong bipartisan showing—agreed with Senator McCain and me that this is an emergency, that veterans must get the quality health care they need, and they must get it in a timely manner. We need to provide the funding the VA needs and do it in an expeditious way.

Needless to say, the bill we passed in the Senate is a compromise. It is not the bill I know Senator McCain would have written alone, and it is surely not the bill I would have written if I could have had the power to write it alone. It is a compromise that was hammered out in good faith, which is something we need to see more of in this body.

What this bill does is address the immediate crisis facing the VA of long waiting periods and makes certain that as soon as possible, the veterans of our country get the high-quality care they need and they get it in a timely fashion. That is what our veterans deserve.

I will briefly touch on some of the major provisions in the bill. This bill allows for 26 major medical facility leases, which means improved and expanded care for veterans in 17 States and Puerto Rico. There has been some disagreement about a 27th facility located in Oklahoma. That facility was in the original bill I introduced, and I supported its inclusion in final passage.

This bill also provides for the expedited hiring of VA doctors and nurses and \$500 million targeted to hire those providers with unobligated funds. No medical program can provide quality care in a timely manner if those programs do not have an adequate number of doctors, nurses, and other medical providers.

This bill will provide an opportunity for the VA to immediately increase capacity within their system. It will provide an expedited hiring authority to allow VA to quickly hire doctors and nurses, which is not the case right now. One of the problems with the VA is they have a very complicated process. It takes a whole lot of time, and they often lose their applicants because it takes such a long period of time. We need to change that, and this bill does that.

Right now there are 741 vacancy announcements for physician positions at

VA on USAJOBS. My understanding is that is a flaw. In fact, the real number of physicians needed is significantly greater than that. In Phoenix alone there have been estimates that up to 500 new providers in that one facility alone—and those are doctors, nurses, and other health care providers—are needed if the veterans in Phoenix are going to have timely care.

Further, what our legislation also does is say to veterans around the country that if they cannot get into a VA facility in a timely manner, they will be able to get the care they need outside of the VA. In my view, what we need to do is hire those doctors, nurses, and supporting staff so veterans who come to the VA can get timely care there, but if they cannot get to a VA facility, this legislation is very clear in stating that they can go to private doctors, community health centers, Department of Defense bases or Indian health care facilities.

The goal is to give veterans a wide option to access care in a timely manner through providers in their communities. If the VA is unable to accommodate those veterans, they are going to go outside of the VA and get timely health care, and that is a very important provision in this bill.

This bill also says veterans who live 40 miles or more from a VA facility—if they choose—also have the option of seeking care outside of the VA. For those veterans living in very rural areas—and I have talked to one Senator who indicated that in some cases a veteran has to travel hundreds and hundreds of miles to get VA health care—this provision will also be very important.

The bill also addresses a major crisis we have seen in the military; that is, the tragedy and the outrage of sexual assault. Our bill will significantly increase VA services for those veterans who experienced sexual assault in the military.

This bill also deals with an issue—where there is widespread support across partisan lines—instate tuition for all veterans at public colleges and universities. This bill also importantly provides that surviving spouses—mostly wives who have lost their husbands in battle—will also be eligible for the post-9/11 GI bill, and that is exactly the right thing to do.

This bill also establishes commissions to provide help to give the VA in terms of improving schedule capabilities and capital planning. These are areas, frankly, where the VA has not been strong. They can use private sector and expert help so they can improve their scheduling capabilities and their ability to do capital planning.

Finally, and importantly, this bill gives the Secretary the authority to immediately fire incompetent employees or those who have falsified or manipulated data in terms of waiting periods. All of us have been outraged that people have intentionally manipulated data to make it appear that veterans

have been getting timely care when that was not the case.

Our bill gives the Secretary the ability to fire those employees and other incompetent employees and it also provides due process. I think that is important because I do not want to see the VA politicized. I don't want to see a President coming into office with a new Secretary firing 300 or 400 top-level supervisors. We do not want to see the VA politicized. We want the best people regardless of their political views.

The House of Representatives passed legislation last week which covers a lot of the same ground the Sanders-McCain bill covers, and I am very confident that in working with chairman JEFF MILLER and ranking member MIKE MICHAUD, we can bridge the differences and send the President a bill he can sign in the very near future. I think that is what the American people want. That is what Members of Congress want. We do not want this to drag on and on and on. We want to get this bill done quickly.

Finally, I did want to say a word to the 300,000 employees who work at the VA. These last several months have been a tough time for many of them. The truth is the overwhelming majority of the people who work at the VA are hard-working, honest, and serious people. In fact, many of them are veterans themselves. I know many others who work at the VA look at what they do not as a job—a 9-to-5 job—but they look at it as a mission. They feel very seriously that our veterans have to get the best health care possible, and they are doing their best to make that happen. I thank them very much for that.

Over and over, I hear from my State of Vermont and from across the country that once veterans get into the VA health care system, the care is good. That is not just my view; it is the view of virtually all of the major veterans organizations and independent studies that compare VA health care with care in the private sector.

In the State of Vermont some 98 percent of veterans get appointments into the system within 30 days. That is good, but it needs to be better in Vermont and throughout this country. The goal must be the highest quality care possible and getting people their appointments in a timely manner.

Let me read, interestingly enough, a poll that just came out from Gallup today. It was published today, and it was commissioned by MarketWatch from the Wall Street Journal. The interesting paragraph here—they polled some 42,000-plus Americans regarding their satisfaction with health care in America. Let me quote what the article says:

Despite recent troubles with veterans not having access to prompt medical appointments, current and former military personnel are the most satisfied with their health care, as 77% expressed contentment. That was the highest satisfaction rate among those broken out by method of coverage.

Veterans, obviously, get their health care in other ways—not just through

the VA—but it is important to recognize that for many, many veterans the health care they are getting is good, and they appreciate that.

Let me conclude by saying our job right now—and I think the American people are with us on this virtually 100 percent—is to make sure those men and women who have put their lives on the line to defend us—they are now asking us to defend them, to make sure they get the health care and the benefits to which they are entitled. My goal is to see that we move this legislation as quickly as possible. I hope by tomorrow we will have named conferees to the conference committee. My hope is we can get this legislation on to the President's desk as soon as we possibly can.

It is one thing to give heartfelt speeches about how much we love and respect veterans; it is another to act, and now is the time for action. The Senate and House committee staffs have already begun preliminary discussions. My understanding is the House conferees will be named tomorrow. I believe we will do the same here in the Senate. My job and what I intend to work on as hard as I can is to make sure we pass strong legislation as soon as we possibly can and have the President sign that legislation.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. DURBIN. Mr. President, just a few minutes ago the Senator from Texas, my friend JOHN CORNYN, came to the floor and spoke about immigration and the situation on our border. It was a very moving statement that he has made before and needs to make again. He did it today and identified a serious issue we are facing—not just one but several serious issues. They are dramatized by the fact that we are seeing hundreds of children who are being turned loose on America's border with Mexico crossing the border, being apprehended, and being placed in a humane situation in America—children, some as young as 5, 6, and 7 years of age, not accompanied by adults. You think to yourself, what is going on here?

Senator CORNYN, of course, representing the State of Texas, knows this better than most because they are watching these children.

Eighty percent of these children come from three countries: Honduras, El Salvador, and Guatemala. In these countries there is a state of lawlessness at this point that is so desperate—so desperate—that a family would turn over a child to someone who says: I will get them across the American border.

Some of these kids show up—I do not know how many; I cannot tell you—with little slips of paper with a name and a telephone number of a relative in the United States. Think about that for a second. How desperate would a family have to be to turn over a 5-year-old, a 6-or 7-year-old child to someone and say: Take them hundreds of miles and enter illegally into the United States of America with my little girl or my little boy. I cannot even imagine the desperation that people are facing that they would do such a thing.

That represents a major problem for the United States at several levels.

First, we are a humane and caring nation. We will not see a child abandoned at the border and turn our backs. What we are doing is taking these children into protective custody, trying to find a way to link them with some member of their family for their own good. Imagine the trauma these kids have gone through at that point and now what they might face. That is why we are stepping forward.

Senator CORNYN came to the floor, and he rightfully said that many of these children do not make these journeys unharmed. Terrible things happen to them—assaults, rapes, beatings, and God only knows. You think to yourself, what impact will that trauma have on that child for such a long period of time?

The lawlessness in these three countries is leading to this outmigration for safety, this desperation by many families and parents.

The second aspect is one that we cannot ignore either. Many children come into the United States, and some of them come in the most extreme situations for a very basic human reason—children who were raised in other countries and their parents are in the United States. They have not seen them sometimes for years. They have received cash to keep them going under the care of another relative, gifts at Christmas, gifts for their birthday. But some of these kids—these little kids—will jump on these freight trains and go through Central America toward the United States in the hope of finding a parent. I cannot tell you the exact numbers.

There is a book that won the Pulitzer Prize called "Enrique's Journey." A woman named Nazario who writes for the L.A. Times went down to Central America, got on one of these trains with these kids, who sit on top of these freight cars as they go through these countries trying to get to the United States. Many of them—she believes the majority of them—are simply trying to be reunited with their parents.

Listen to the tragedy in what I have just described. Think about the desperation of families and the desperation of these children and where it puts us in the world today, and reflect for a moment on a political reality that did not come up in the earlier statement. The political reality is that it has been

more than 1 year since the Senate passed a comprehensive immigration reform bill with 68 votes, 14 Republicans joining the Democrats in a bipartisan effort.

I know a little bit about this bill because I joined the group who wrote it, four Democrats, four Republicans, sitting across the table—on our side, CHUCK SCHUMER of New York, BOB MENENDEZ of New Jersey, MIKE BENNET of Colorado; on the Republican side, JOHN MCCAIN of Arizona, JEFF FLAKE of Arizona, LINDSEY GRAHAM of South Carolina, and MARCO RUBIO of Florida. We sat in this room—many rooms, I should say—over a period of months and hammered out a comprehensive bill that deals with many of the issues that are behind the tragedy I just described. That is something we ought to acknowledge is part of our challenge today, that 1 year has gone by and the House of Representatives has refused to even call this bill for consideration.

I am pretty proud of what we did and what we wrote. I do not think there are many pieces of legislation that bipartisan that have the support of business and labor and religious groups of every denomination. They all support our bill. I am proud of that fact.

I served in the House. I know they have some pride of authorship. They may want to do their version of the bill. That is OK. But doing nothing is not OK. It is not acceptable. We have a broken immigration system. Senator CORNYN of Texas said as much himself.

If we are going to deal with the problem at the border with these children, if we are going to deal with the problem of 11 million or more undocumented people in America—many of whom have been here for long periods of time, may live in a household where everyone else in the house is an American citizen, and I know of these cases in Chicago; I have met them—people who are willing to come forward at this point in their lives, register with the government, tell the government where they live, where they work, have a background check so that if they have serious criminal issues they are gone, stay in this country, pay their taxes, pay a fine for being undocumented, learn English, and wait 13 years at the earliest before they can become citizens, and they go to the absolute back of the line—that is what our bill says. That, to me, is a movement toward a solution of what we are facing today.

But I hear many times criticism of this President. I will tell you, this President has been fully supportive of this effort for comprehensive immigration reform. I cannot tell you how many hours I have spent with him and so many others trying to work toward this goal. I know, because he used to be my junior Senator from Illinois and we are pretty close. I know that when he was going through the transition to become President, he invited Senators MCCAIN and GRAHAM to meet with him in Chicago before he was sworn in. They talked about immigration. That

is how important it is to this President. So those who would blame him or dismiss him for the current situation, it is not fair. He supports comprehensive immigration reform.

He said to the House of Representatives and the Republican leadership that he will step back in terms of doing anything on an executive level and give them the opportunity to do what they are supposed to do—call this matter for a vote. We are praying they do it before the end of July because we are running out of time. In just a few months there will be an election and then a lame-duck session between the election and the new Congress. Not much can get done in that period of time.

The President has said to Speaker BOEHNER and the Republicans: Move the bill. So when I hear the criticism of some of the terrible injustices in our current immigration system, I think we ought to be very honest. We have passed a bill—a bipartisan bill, a comprehensive bill—in the Senate, and it has been sitting in the House for more than a year. More than a year.

I came to this issue, like most, with a family story. I have told my family story on the floor many times, but I am proud of it, so I am going to repeat it.

My mother was an immigrant to this country. She came to America, brought here at the age of 2. She was brought from Lithuania. My grandmother packed her up with my aunt and uncle and brought them over in a ship. They landed in Baltimore and somehow got on a train to St. Louis. They were headed for their great opportunity in America, their land of opportunity, the town I was born in, East St. Louis, IL. That is where I came from. That is where they landed because the Lithuanians were there working in the packing houses and the steel mills and all of the jobs that immigrants take.

That is my story. That is my family's story. But that is also America's story. Those immigrants who come here and take the dirtiest, hardest jobs, work night and day trying to make sure their kids have another chance, create time and again generations of renewal in America.

There is something in our DNA, my friends—all of us who are proud to say we are Americans—there is something in our DNA about that immigrant spirit, to think that my family and millions of others said: We are leaving Jurbarkas, Lithuania, and we are going to America, where we do not even speak the language.

What an adventure. What courage. What Americanism. That is what creates us. That is in our national DNA. Thank goodness it is.

There is something else I would like to note. It has been 2 years since President Obama issued an Executive order. It was known as the Deferred Action for Childhood Arrivals Program, DACA.

Here is the history. Thirteen years ago I got a call in my Chicago office

from a Korean mother who said she had a problem. She had brought her daughter to the United States at the age of 2 on a visitor's visa. Her daughter was now grown up, 18 years of age. She had never filed any papers for her. Technically mom, who was here legally as a citizen, had an undocumented child in her house.

The problem was that this undocumented girl had turned out to be a spectacular pianist and had won an opportunity for scholarships to the Juilliard School of Music and the New York Conservatory of Music. She was that good. When she went to fill out the application, they asked her for her citizenship. She turned to her mom and said: What am I?

Her mom said: I don't know.

The girl said: What are you going to do?

Mom said: Let's call DURBIN.

So they called my office. We checked the law. The law was very clear. That little girl who had been in the United States for 16 or 17 years at that point in her life was undocumented and under the law had to leave the United States for 10 years and apply to come back in. That is how the law was written.

I thought to myself: That is not fair. That little girl did not have any say in her parents moving here. She had nothing to say when they failed to file the necessary papers. Now she was the victim of our legal system and her parents' failure to file the papers so she could be here legally.

So I introduced the DREAM Act. The DREAM Act I introduced 13 years ago said: If you are in that kind of a circumstance—brought here as a child by your parents, have lived in the United States, finished high school, no serious criminal record—we will give you a chance. Either enlist in our military or go to college for at least 2 years, and we will put you on the path to citizenship.

That is the DREAM Act. Well, that bill has been around a long time—13 years. It has passed in the Senate as part of a comprehensive bill, and it has passed in the House individually. But it has never passed in both places, which, as we know, is what is necessary to become a law.

So I wrote to President Obama, with 22 of my colleagues—that at one point included Senator Lugar of Indiana, my Republican colleague then—and asked the President: Create an Executive order so these young people eligible for the DREAM Act will not be deported while we debate. Give them a chance to be here in a legally recognized status because they would qualify under this bill that continues to pass—the Deferred Action for Childhood Arrivals. That, of course, was enacted by the President in Executive order 2 years ago.

After it was enacted, Congressman LUIS GUTIÉRREZ and I—in Chicago—said: We want to give all of those eligible to apply for this deferred action

protection under the Executive order a chance to sign up.

So LUIS and I said: We are going to reserve Navy Pier—if you have ever been to Chicago, there is a huge ballroom at the end of Navy Pier, one of the most popular sites in downtown—and we are going to invite any young person who wants to sign up for DACA so they won't be deported to come in and sign up.

I said initially: I hope we get 200 people to come because we have a big room here.

In the end over 10,000 showed up. It overwhelmed us. We had volunteer lawyers there, lots of friends there, and people helping. Parents got in line at midnight the night before, standing with their kids and waiting for a chance to give these kids a chance to be legally in the United States and not deported; that is how much it meant to them.

Some of these parents, sadly, didn't have the same protection, but they wanted to do everything they could for their kids. Well, the time has passed, and in the course of time we have seen 560,000 children across America who signed up for this protection under DACA—560,000.

I have come to the floor and told about 50 or 60 stories about these DREAMers. We call them DREAMers—these young kids. Each time I tell the story, I get responses from people saying: I can't believe that we still haven't resolved this problem.

I want to tell you one of these stories today. I want to update you about one of the DREAMers I have spoken about on the floor.

This is Erika Andiola and her mother Guadalupe Arreola. Guadalupe's husband—Erika's father—abused her for 15 years. In order to escape this abuse and protect her kids, she fled to the United States.

Free from threats of violence, Guadalupe and her children made life in this country. Her daughter Erika graduated with honors from Arizona State University with a bachelor's degree in psychology. She is the founder and president of the Arizona DREAM Act Coalition, a group advocating for immigration reform.

After receiving DACA, her protection under the President's Executive order, Erika became the first DREAMer to work for the Congress. She could legally do it under the President's order. She served as district outreach director for Congresswoman KYRSTEN SINEMA of Arizona. I might add that Congressman GUTIÉRREZ also hired one of the earliest DREAMers under DACA on his staff as well.

The same week that Erika was hired to work for a Member of Congress, they received notice that her mother was being placed in deportation proceedings. Why were we trying to deport Erika's mother, Guadalupe? Because she was pulled over for a traffic violation and she had a deportation order that was 15 years old.

Erika made a difficult decision. She gave up her job with the Congresswoman and started focusing on helping her mom. Her mother wrote me a letter and said:

I have always taught my children that there is nothing more important than the love for our families. . . . I ask Congress and the President to realize that I am a human being who was just looking to protect my children from a life full of violence.

There are 11 million undocumented immigrants like Guadalupe in the United States. They are hard-working men and women with courage who leave everything behind they know to build a better life. They have strong family values, and they make a real contribution to our country and our economy. They serve our food in restaurants. They clean off the tables when we are finished eating. They take care of our small children in daycare, and they watch our parents in nursing homes. That is who the undocumented are in America.

They raise children like Erika and make contributions to our country. They want to be Americans. But under current law, there is no way for them to get in line and legalized.

Last week the Secretary of the Department of Homeland Security, Jeh Johnson, was kind enough to come to Chicago. I invited him. I wanted him to see the Broadview processing facility, where those who are about to face deportation are held. It is a grim reminder of families that are being broken up right before our eyes. I wanted him also to meet with people in the Muslim community, in the Syrian community, in the Hispanic communities, and talk about immigration in America today. He was kind enough to do that.

Along with my colleagues, Congressmen LUIS GUTIÉRREZ and BILL FOSTER, we visited the center. We met in the detention cells a 51-year-old man who came to the United States at the age of 6. He has three kids who are U.S. citizens. One now serves in the U.S. Army and another is a police officer. In the visitation area outside, we met his mother, who is 80 years old. She was hoping to get a glimpse of her son before he was deported.

This is the human impact of immigration laws and policies. The House of Representatives has a chance to fix this and many other problems. We can move together to stop this horrible humanitarian crisis at the border with children. We can move together to deal with the undocumented among us who will step forward, pay their taxes and their fines, learn English, go to the back of the line and wait their turns. We will be a better country if we do.

I hope the House Republicans will take up this responsibility. If they have a better idea, bring it to the floor and vote on it but, if not, call up our bipartisan Senate bill. Let's fix this broken immigration system. Let's move this country forward.

I yield the floor.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. PORTMAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. RES. 469

Mr. PORTMAN. I rise today to put the Senate on record on something very important, and that is speaking to the decision by the Obama administration to release five top Taliban leaders from Guantanamo Bay without consulting Congress, as required by law—a decision that I believe endangers the lives of American personnel, not to mention the countless Afghans and the success of our mission in Afghanistan.

It has been well reported in the press that this release was done without consulting Congress or congressional leaders on either side of the aisle—Republican or Democrat, by the way. This was in clear violation of a requirement to provide detailed notice to Congress before such action is taken—a requirement that is contained in both an authorization bill called the 2004 National Defense Authorization Act and a spending bill, the Consolidated Appropriations Act, 2014, both of which passed Congress with big bipartisan majorities. Both were bipartisan bills, and there was a bipartisan consensus about having this notification.

Despite several closed-door briefings and public comments from the administration since we learned of the release, the administration has been unable to provide any legitimate justification for violating the requirement and for failing to consult with Congress.

I believe the President's conduct raises a lot of questions—questions which should concern every Member of this body on both sides of the aisle.

This is not a partisan issue, nor is it about what kind of soldier SGT Bowe Bergdahl may have been. I trust the Army will handle that matter appropriately. This is about our role in the Congress, and it is about our national security. It is about protecting our men and women in Afghanistan. It is about ensuring that what they have fought for in the last decade and the gains they have made in our war against terrorism and for the people in Afghanistan will not be squandered, as we are seeing today in the country of Iraq.

Congress enacted the bipartisan notice requirement to secure those interests and to prevent the release of dangerous terrorists who are likely to rejoin the fight if they are freed. It requires the President to give a detailed justification for the release of detainees from Guantanamo Bay, why such a release is in the country's national security interests, and what actions the administration will take to ensure that

those released detainees do not return to the battlefield to threaten American lives—basically asking the administration to tell us, but to also provide a justification for the release and the conditions of that release.

Had the President followed the law, I believe many of the dangers posed by this decision could have been avoided altogether. I think he would have heard on a bipartisan basis the concerns of the Congress, which were only voiced after the decisions were made, again, on both sides of the aisle.

Make no mistake, these five men who were released are dangerous. Don't take my word for it. This is what the administration has said repeatedly. I was in a hearing before the Senate Armed Services Committee in 2012. I was a member of the committee at that time. Senator LEVIN, my colleague and chairman of the committee, who is here on the floor with us today, was at that committee hearing. In fact, he asked some very good questions, including questions to the President's own Director of National Intelligence James Clapper.

What did Mr. Clapper say? He reiterated a 2010 administration assessment that these five Taliban leaders—these same five who were just released—posed a high risk of returning to the fight.

On this very point, Director Clapper did not equivocate, saying:

I do not think anyone harbors any illusions about these five Taliban members and what they might do if they were transferred.

This was sworn testimony before our committee. Even if, as the President admits, there is "absolutely a risk that these men will return to the battlefield," these men were senior members of the Taliban. They include the Taliban's deputy defense minister, deputy minister of intelligence, administrator of the interior, and some were closely associated with Osama bin Laden or Al Qaeda. Two are wanted by the United Nations for war crimes.

Yet despite these red flags—which, according to reports from the press, were reiterated during internal White House debates of the transfer—President Obama released these men anyway without following the notice provided in the law.

We need to know why. We need to know what security risks these five individuals pose. We need to know what measures have been put in place to mitigate those risks. I don't know why any Member of this body would oppose going on record saying that the law was violated and seeking answers to these good questions.

In a moment I am going to ask for unanimous consent on a resolution which I have offered and many of my colleagues have cosponsored calling on Congress, through regular order and committee jurisdiction, to investigate the decision to authorize this release. This resolution has a very narrow purpose: It only seeks to ensure that, when Congress speaks, the President

listens. I would remind us that this provision on Guantanamo transfer passed in an overwhelming bipartisan manner.

This is not an issue of politics. No matter what party the President is from, our entire constitutional balance depends on adherence to the rule of law. This is about more than the President ignoring Congress. The American people are the ones who deserve these answers. We are their representatives. That is why that provision was put in place, so that we, representing them, could give the President better advice.

The American people deserve these answers. So do, by the way, our men and women in uniform who continue to put their lives on the line for us every single day.

Already this month, since the release of these detainees, eight American servicemen have lost their lives in Afghanistan. We still have over 30,000 troops in the theater—30,000 Americans putting their lives on the line for us every day. I think a lot of them are wondering: What was the justification? Why? What effect will it have on them and their safety? One could hardly doubt that the administration's decision to release these Taliban leaders will put even more Americans at risk.

We should be under no illusions: If we take no action, I do not believe this will be the last unlawful transfer of detainees from Guantanamo Bay back to the battlefield.

In other words, if we don't speak and go on record to say: Wait a minute; we had a law here; this is wrong; we need a detailed justification—I believe the wrong message will be sent to the administration. The sense is Congress didn't seem to care that we violated the authorization bill, the appropriations bill, and went ahead without providing the appropriate notice.

President Obama has made it clear that closing Guantanamo is one of his top priorities in the waning days of his administration. I understand that. But he has provided no such clarity on what he intends to do with the dangerous men who are housed there—men such as Khalid Shaikh Mohammed, the principal architect of the 9/11 attacks. He is there. Will he be released? Into whose custody? The terrorist known as Hambali, the mastermind of the Bali bombing that killed 200 people, including 7 Americans; Ramsey bin Al-Shabab, a high-ranking Al Qaeda operative who helped coordinate the 9/11 attacks.

We also need to remember why we went to Afghanistan in the first place. Before 9/11, under Taliban rule the country had become a haven for Al Qaeda, a power base for Osama bin Laden, and a place from which to plan and launch attacks against the United States and our allies. We went to Afghanistan to seek justice for those who died on September 11, but we also went to remove the Taliban from power, to free the Afghan people, and to ensure that Afghanistan never again becomes

this base, this platform for terrorist activity which threatens us. We must not be blind to the fact that the Taliban aims to regain as much power as they can in Afghanistan and in Pakistan. That means a return to oppression, human rights abuses, the suppression of women's rights and, most importantly to us and our national security, the complicit harboring of their ally Al Qaeda. We have just returned to them the leadership team to help them achieve that goal.

President Obama tells us the war in Afghanistan is coming to an end. We need to ensure that end is one of sustainable victory, not defeat. The deteriorating situation we see unfolding before us on our TV sets in Iraq today demonstrates what can happen when we rush to the exits without preparing for an appropriate exit.

Today, the black flag of radical Islam flies over the second largest city in Iraq, and armed militants are advancing on Baghdad. Proclaiming victory in Iraq did not make it so.

Many made it clear that if we failed to maintain appropriate forces in Iraq to help the government transition and establish its authority, the long-term stability of Iraq would be open to threats and radical groups. We chose not to complete a status-of-forces agreement with the Maliki government. President Obama did not heed the warnings from those who saw these threats, and unfortunately we are seeing some of these predictions come true. Whatever we do in Afghanistan, I hope we learn from the lessons of Iraq.

The decisions to release high-ranking members of the Taliban while the fight against the Taliban continues to this day has shaken the trust of the American people, the trust of the Afghan people, and it opens the frightening possibility that what we are seeing today in Iraq may be a foreshadowing of Afghanistan's future.

In my view, Congress has the responsibility to get to the bottom of how this release happened and to ensure it doesn't happen again. I hope my colleagues on both sides of the aisle will support the resolution I have submitted so we can fulfill that responsibility.

I ask unanimous consent that the Armed Services Committee be discharged from further consideration of S. Res. 469; that the Senate proceed to its consideration; that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I do intend to object to the resolution for a number of reasons.

First of all, the resolution prejudices the very conclusion that the resolution

says it wants an investigation to determine. It calls for an investigation, but then it already concludes that the President violated the law. That is not what I call an impartial investigation. That is a resolution which reaches a conclusion prejudging the very investigation it calls for.

There are other problems here as well. My good friend from Ohio said the President violated the law because he didn't give 30 days notice to Congress. Indeed, the National Defense Authorization Act provides for 30 days notice. But it also is a matter of fact the President said, when he signed the National Defense Authorization Act, that if there were necessary circumstances where there were negotiations going on with foreign countries or foreign people in terms of preserving or saving an American life that he is not going to be bound by 30 days notice. He said that at the signing ceremony.

You can't change a law at a signing ceremony, but what you can do at a signing ceremony is what this President did: At the very signing ceremony for the very act the Senator is relying on, the President put us on notice that there could be circumstances under which he could not give 30 days notice to the Congress.

When he did not give 30 days notice in this circumstance, he did it on the advice of counsel. The Department of Justice told him that he has powers, as Commander in Chief, under article II. That is part of the law of this land. The law of this land includes the National Defense Authorization Act. As a matter of fact, the Presiding Officer is very much aware of the fact that the National Defense Authorization Act, of which he is so important a part, is part of the law of this land. But so is article II of the Constitution, which gives the Commander in Chief certain powers, and the Department of Justice said he could use those powers to not give 30 days notice because it could jeopardize the life of an American citizen.

Maybe there are those who argue that is OK, follow the authorization law instead of article II, because the authorization law somehow or another has precedence over article II, which it doesn't. Article II is part of the Constitution. But the authorization act itself was said to be subject to article II powers of the President when he signed the very act.

So what happened? The President decided, because of the exigencies of these circumstances—whether you agree or don't agree with the details of the deal, that is one issue. People can disagree with that all they want. But as to whether once the President decided he was going to make that deal and save that life and not jeopardize that life by waiting 30 days, at that point the question is, was that illegal? That is what a court could decide if it so chose as to whether a President could use article II powers in order to act quickly to save an American life.

I think that prejudging this kind of an issue with the kind of investigation

that would prejudice it—because that is part of the resolution itself—is not what this Senate should be doing.

By the way, during that 30-day period the President would have had to have not just waited 30 days; he would have also had to have made all kinds of detailed and substantive classified notifications. He would have had to have made certain kinds of findings, detailed statements, the basis for the transfer release, and explanation of why the transfer release is in the national security interest of the United States, a description of any actions taken to mitigate the risks. He would have had to have done all that before he was able to execute the transfer of an American citizen to the safety of this country.

The President did do all of those things immediately after he made the decision to act. So we got all of that notification that is required by law, but we didn't get it 30 days in advance because of the jeopardy it would have created to American life.

Again, people are going to disagree as to whether this agreement should have been reached. That is fair discussion, fair game for debate, but that is a very different issue as to whether we should prejudice as to whether the President, who acted under his article II powers—and told us he might do so when he signed this bill—acted illegally, and that is what this resolution says happened—that the President acted illegally. It prejudices the investigation.

I think for a number of reasons it is inappropriate for us to adopt this resolution, so I will object.

THE PRESIDING OFFICER. The objection is heard.

The Senator from Ohio.

MR. PORTMAN. It is unfortunate that we cannot at this point come to a bipartisan agreement on something even, it seems to me, as straightforward as this.

To my friend from Michigan I would say a couple of things. One, this resolution does not prejudice the investigation. The resolution—and I have it in front of me now—does not talk about the President's article II powers. It very clearly says that transfer of these detainees violated the National Defense Authorization Act—legislation that you brought to the floor—and the appropriations bill. That is what it says. So that is clear by the very language in those bills, that it does violate those bills. It doesn't talk about the constitutional authorities the President may have. It does say that it violates the terms of this legislation. It does not prejudice the investigation, which is in the why, the investigation as to why it happened, with, again, the intent of trying to keep this from happening again.

I do think the President could have used some reasoned judgment from some people who have been around a while, maybe even Senator LEVIN, who has some strong views on these national security matters and was in-

involved earlier in the hearings that I was in where, under oath, the administration official talked about how dangerous these very men were.

Second, Senator LEVIN correctly says the President cannot change the law, and that is all we are saying. He cannot change the law with a signing statement. If he didn't believe this law was appropriate, he should have vetoed it, and he has done that in the past—as have other Presidents—vetoed legislation with which he didn't agree.

So I do believe that under article II, Chairman LEVIN is correct that the President does have certain authorities. That is why we were very careful when we drafted this legislation, this resolution, to say that this says the Congress shall go on record establishing that under the clear terms of these two laws that were passed by the Congress and signed into law by the President, the President did not follow the terms of those laws. That is clear. The investigation, then, is into why, and the Armed Services Committee would have the ability to do that.

By the way, today I know many are celebrating the capture of Ahmed Abu Khattala. Ahmed Abu Khattala was one of the terrorists who attacked the American compound in Benghazi, and I am glad to hear we have captured him and he may be deported back to the United States of America.

It is interesting because we got notice. I don't know if the chairman was notified, but I know the intelligence committee was notified. And that wasn't required by law, by the way. It is just common practice that happens when you have a relationship between the administration and Congress that is confidential.

We were notified, of course, with regard to the bin Laden capture. I cannot imagine the bin Laden capture was any less sensitive or any different in kind to make it something that we could do a notification on when we couldn't do it on the release of these five detainees from Guantanamo.

So this is something I think is very reasonable. We are asking for justification not after the decision is made—that is not what the legislation says. It says before the decision is made so that Congress can have the opportunity to discuss this with the President and to make sure that, in fact, we are proceeding appropriately with these very dangerous detainees at Guantanamo.

I would again make the point that some of these detainees who are at Guantanamo right now are people who—just as in the case of these five Taliban—have been considered to be extremely dangerous, and I would ask the question, If Congress isn't on record saying that we expect the law to be followed here and that the President ought to notify Congress before we release these people, what is going to happen with Khalid Shaikh Mohammed? What is going to happen with Hambali? What is going to happen with Ramzi bin al-Shibh, an architect of the

9/11 attacks? These are all people who are at Guantanamo. The President says he wants to shut it down.

I think the legislation Senator LEVIN and others crafted—which, by the way, was legislation that changed over time. It evolved. The notification was a relatively slight requirement on the President compared to the previous legislation when I was on the Armed Services Committee with Chairman LEVIN. So this was something we thought about. We decided notification was appropriate, notifying Congress and providing a detailed justification. It is not too much to ask.

Again, we required the President to tell the Congress before releasing Guantanamo detainees. We spoke with one voice in the Congress. The President ignored that legal requirement. He ignored the voice of Congress. He ignored the law. If we are not going to hold him accountable, I don't know who will. Again, what does it say about the separation of powers enshrined in our Constitution, which simply says Congress has a role as one of the branches of government. No declaration, no investigation, no recourse? I don't think that is going to be helpful in terms of ensuring that balance of power continues and that we don't have this situation recur, as the President is talking about shutting down Guantanamo Bay and releasing other detainees.

I hope my friends on the other side of the aisle will reconsider their course of action today and take a careful look at this resolution, which was carefully drafted—including not to impinge on the President's constitutional powers under article II. I think the stakes are simply too high to do otherwise.

I yield back my time.

THE PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I thank the Presiding Officer.

Mr. President, first of all, look at what the resolution says. When you read the resolution, it says: Congress should investigate the actions taken by President Obama and his administration that led to the unlawful transfer of such detainees.

So when my friend says it doesn't prejudice that it was unlawful, by its very terms it says "investigate the actions taken by President Obama that led to the unlawful transfer of such detainees." That is what the resolution says.

Secondly, the point that the resolution makes no reference to article II—my friend says that, and he is accurate in that regard. That is the problem. What is missing is a reference to what the President was advised he could do—which is act under his article II powers—and what the President said he would do when he signed this bill.

Third, the fact that we were notified of the bin Laden capture—I don't know how many of us were notified, but it certainly wasn't 30 days before he was captured, if it was at all. That is the

issue here—not whether the President should have notified—by the way, I think he could have done a better job of notifying Congress. That is not the question. The question is whether he acted illegally, as the resolution says he did, because he didn't follow the 30-day notice requirement, which, in his judgment and I think a lot of other people's judgment, including mine, would have jeopardized the life of an American citizen. So he acted under article II powers to avoid that jeopardy, and there is no reference to article II in here. There is no reference to the fact that the Department of Justice informed the President he could act without abiding by a 30-day provision if he acted under his article II powers to save the life of an American citizen.

There are many reasons that this resolution—there are many problems that it seems to me this resolution does not fairly address or resolve, and that is the reason I object.

One other issue; that is, my friend from Ohio made reference to James Clapper, who is the Director of National Intelligence. Well, Director Clapper supports the deal that was made relative to this transfer, as does General Dempsey, the Chairman of the Joint Chiefs of Staff, and Admiral Winnefeld, the Vice Chairman of the Joint Chiefs.

I yield the floor.

Mr. LEVIN. Mr. President, I ask unanimous consent that the time until 4:45 p.m. be equally divided between the two leaders or their designees and that at 4:45 p.m. all postcloture time be expired and the Senate proceed to vote on the confirmation of Calendar No. 572, with all the provisions of the previous order remaining in effect, and that the Senate then resume legislative session.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEVIN. Mr. President, with this agreement there will be two rollcall votes at 4:45 p.m., first on the confirmation of Peter Kadzik to be Assistant Attorney General and second on cloture on the motion to proceed to H.R. 4660, the House Commerce, Justice, Science Appropriations Act.

THE PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Thank you, Mr. President.

Mr. President, I am coming to the floor today to talk about what is happening in Ukraine, but before I do that, I cannot help but—having heard some of the discussion before this from my colleague from Michigan and my colleague from Ohio—add to that discussion.

First of all, the President didn't even notify the chair of the intelligence committee and the ranking member of that committee. And I think it is clear why he didn't notify the chair of the intelligence committee. Because there was widespread opposition from the intelligence committee to transferring

these five particular detainees, and that was made clear to the administration well before this prisoner swap was made.

Moreover, what I find not only shocking—that the chair and ranking member of the intelligence committee weren't consulted about this, but what made my jaw drop was when I learned that our commander in Afghanistan had not been consulted in advance about the impact on the ground of this particular prisoner transfer in terms of the five Taliban detainees—which, make no mistake, what our intelligence community has said is that these five detainees, the five Taliban dream team—on a scale of 1 to 10, how likely will it be that they get back in the fight against us and our allies and against our interests? Four of them, we were told, are a 10 out of 10 that they will get back into the fight. That is why these five detainees were designated as high-risk by the board that is supposed to review these issues and decide whether prisoners can be safely transferred out of Guantanamo or whether they should be indefinitely detained.

I just wanted to add that to this discussion because it is important to understand. I do believe we should bring our men and women home who have served our country, but these five detainees represent a real danger to us and our allies going forward, and that is why even the intel committee on a bipartisan basis didn't think this was a good idea.

The notion that the President couldn't trust, for example, the ranking member of the intel committee, whom I have great respect for, and the chairman of that committee, whom we entrust every day to hold classified information, to ask at least what the intel committee thought, I just think that is absurd, that they would have somehow put at risk our soldier in Afghanistan.

So I wanted to add that to the discussion. And it seems to me that if we really wanted to consult on the ground with our commander in Afghanistan, we would want to know from him in advance what he thought about putting the five detainees back in the battle space, regardless of what he thinks now about it because making a good decision means consulting the people who are knowledgeable about this in advance.

What worries me the most about this transfer is the fact that five out of the five are likely to get back in the fight, and we don't have a good record on this. The estimates are that 29 percent of those who have been detained in Guantanamo have either gotten directly back in the fight or we believe have gotten back in the fight against our interests or the interests of our allies. That is the national security concern about this transfer.

UKRAINE

I am here today to talk about the situation in Ukraine. As we look around

the world there is so much happening and so much which is of concern to our country, but today I would like to focus on Ukraine and what Russia is doing in Eastern Ukraine to interfere with the sovereignty of the Ukrainian people, to interfere with their choice of how they want to conduct their country, the choices they have a right to make for their own country.

Of course, this began with the illegal invasion and annexation of Crimea, but it has not stopped there. It has continued in Eastern Ukraine, where essentially we have seen violence and turmoil in parts of Eastern Ukraine.

Make no mistake, the cause of that violence and turmoil in Eastern Ukraine is by the so-called separatists, and the cause is very clear: Vladimir Putin and Russia hold the key to that violence. They hold the key and are as responsible for that violence as they are responsible for the illegal invasion of Crimea.

In fact, I would say Vladimir Putin has operational control of what is happening. He could ask those separatists to stop what they are doing. He could stop giving them arms. He could stop giving them the things he has been giving them, including the capability of shooting down Ukrainian planes, giving them the capability of tanks and arms.

With everything the Ukrainian people are trying to deal with, what do they want? The Ukrainian people want to determine their own future. They want Vladimir Putin and Russia to butt out. They want Russia to respect their sovereign territory, and unfortunately none of this is happening.

I recently had the honor of leading a delegation to Ukraine to oversee the Presidential election last month. I had the chance to sit down and meet with the now-elected President Boris Plushenko in Ukraine.

I also had the chance to meet many people in Ukraine and see their elections firsthand. One of the events that was very inspiring to me was the first polling place I went to in Kiev. There was an older gentleman, probably in his seventies, who cast the first ballot of the day. As he cast his ballot, he said: "For democracy." That was a very moving moment because that is what we saw throughout the polling places we observed in Ukraine. They had a very high turnout.

The Ukrainian people came out to vote in their elections so they could choose their President, not a President chosen by Vladimir Putin. They came out to vote for a President chosen by the Ukrainian people, and they did it despite what was happening in Eastern Ukraine. They did it despite the threats Russia made against their sovereignty and their country.

I think they did it in spite of Russia and to send a message, as a people, to say: We are going to determine our future. Vladimir Putin, you are not going to determine our future. I found it all inspiring.

Why does Ukraine and what happens there matter to the United States of America? First of all, if Russia believes they can go in and invade the sovereign territory of another country without consequences, what does that mean for the rest of Europe and the security of Europe? Unfortunately, we have seen history such as this before, where countries are invaded and other countries act in an apathetic fashion; there are no consequences as a result of that invasion.

The President gave a moving speech in Warsaw, Poland, on June 4 of this year, to celebrate the 25th anniversary of Freedom Day there. In that speech the President said:

Ukraine must be free to choose its own future for itself and by itself. We will not accept Russia's occupation of Crimea or its violation of Ukraine sovereignty.

It means increased support to help our friends such as Ukraine and Moldova and Georgia, all of which are watching what is happening in Ukraine and wondering: Will we be next if there are no consequences for the invasion of Ukraine? To help them provide for their own defense, our free nations will stand united so further Russian provocations will only mean more isolation and costs for Russia.

In fact, as I went to Ukraine to oversee the elections, the President had said—with those impending Presidential elections in Ukraine—along with Chancellor Merkel of Germany, that if the Ukrainian elections were interfered with, there would be more costs to Russia. Well, guess what. When I was there overseeing the elections in places such as Kiev, where we had a record turnout, the Russians continued to foment violence in the eastern province.

In Donetsk and Luhansk, the people there did not have the free right to vote and exercise their decisionmaking for the future of their country. Where were the costs for that? There were none imposed. In fact, the economic sanctions imposed by this administration have not had an impact on Russia.

In fact, their stock market is back to where it was before the sanctions, and at this point they feel they have gotten away with it because the economic sanctions we imposed prior to those elections were imposed on individuals and some minimal sanctions on sectoral, but very limited, and we have done nothing to actually support the Ukrainians in helping them to defend themselves.

What has happened since the President talked about the costs they would endure if they interfered with the election? Nothing happened even though the Russians continue to foment violence in the east.

Flash forward to the Warsaw speech in Poland, where the President said if there is further aggression by the Russians, there will be costs if they interfere with the sovereignty of Ukraine.

Guess what happened since then. Since that time, the developments

have been absolutely shocking, and I think the Russians are trying to take advantage of what is happening in Iraq and other things happening around the world. They are thinking we will lose sight of their illegal invasion of Ukraine and what they are doing in Eastern Ukraine.

On June 12, Russian-backed separatists in Ukraine reportedly acquired T-64 tanks and BM-21 rocket launchers from Russia. These are the types of vehicles—rocket launchers—Russia is supplying to their agents, essentially, in Eastern Ukraine. There have been tanks sighted. This is no grassroots movement. Tanks and rockets have all been provided by Russia to kill Ukrainian people who are trying to defend their sovereignty. This has all happened since the elections, adding on to the violence that was committed in Eastern Ukraine during the elections.

The President said there will be costs. There have been no costs for tanks and missile launchers in Eastern Ukraine. In fact, on June 14 pro-Russian separatists shot down a Ukrainian military transport killing all 49 people on board in the deadliest unrest in months in Eastern Ukraine. This is the type of transport the Russians—the agents they backed—shot down.

In order to shoot down a plane such as this, they have to have the technology to do it, and guess who is giving them that technology. Russia. Yet there have been no costs to that because at this point the President has just talked. He has not imposed tougher sanctions on the economy of Russia nor has he provided the Ukrainian military with support.

This is what it looked like when they shot down those 49 people who were killed. The Russian agents and the separatists they are giving the arms to did this—shot down that plane, and this is the actual picture of that plane.

At this point what is the State Department's response? What has our administration said? We are highly concerned about the new Russian efforts to support the separatists. We are very concerned. If they don't deescalate, there will be additional costs.

How many times will our President and the State Department say there will be additional costs if the Russians do anything further? How many times will the Russians again shoot down Ukrainian planes by giving these arms to their agents and their separatists? How many more Russian tanks have to cross the Ukrainian border before we will impose such costs?

Words don't mean anything to someone such as Vladimir Putin, and he knows we keep talking and not acting, so he can keep shooting down their planes. He can make sure the tanks roll over the border—the Russian tanks. This is not a grassroots movement. They have tanks and rocket launchers to shoot down aircraft. This is a subversion where the Russians are also trying to repeat the playbook of what happened in Crimea to further

take over the rest of Ukraine, and it is time for us to back up our words with actions.

What kind of actions are we talking about? We are talking about legislation we have offered in the Congress. I have worked with Senator CORKER and others on legislation that will impose tougher economic sanctions on Russia and will make a difference to them and their economy. We have financial sector sanctions, energy sector sanctions, military sector sanctions—sanctions that will send the message that, yes, this will hurt your economy if you don't respect the sovereignty of another country or if you continue to escalate the violence by providing not only tanks but also rocket launchers and shooting down planes of the Ukrainian people.

When I had the chance to meet with the new President of Ukraine, he had a request of us. First of all, he wants to make sure we are tougher than we have been on Russia in terms of economic sanctions so Russia doesn't continue to invade their territory and, not only that, so they don't go into other countries in the region. We need to use the economic tools at our disposal so we are forced to use military tools down the line. We have economic tools this administration is not using to impose costs on Russia and to back up the words of our President rather than continuing to look the other way when tanks roll in and airplanes are shot down.

What else can we do? The President asked me about supporting their military. No one wants to send a U.S. troop to Ukraine. No one wants to send our people to fight their battle, but this is what he asked of us: The former Russian-backed President gutted our military. Can you help get us some basic things for our military—body armor, communication equipment, night vision goggles, in addition, antitank and anti-aircraft capability.

What would that do for them? They could defend themselves from the tanks. They could help push back against their planes from being shot down. So what they want is the ability and the help to defend themselves.

Why should we give it to them? We should give it to them because not only is it the right thing to do so they can help defend themselves and we can push back against the Russian invasion in their country, but it is the right thing to do because we were a signatory to the Budapest memorandum.

In 1994, Ukraine gave up their nuclear weapons. They gave up their nuclear weapons under the Budapest memorandum that the United States, the United Kingdom, and Russia signed. Russia has violated this agreement because the agreement required all parties to respect the sovereignty of Ukraine and the agreement required us to respect not only their sovereignty, but they expected some security assurance because they were giving up their nuclear weapons by signing this agreement.

We haven't even given them anti-tank, anti-aircraft equipment so they can defend themselves after they gave up nuclear weapons. What other country in the world is ever going to give up their nuclear weapons when we are not even going to impose tough economic sanctions on a country that has been invaded. We have not even given them basic military equipment when they were invaded.

I would argue, in looking at this playbook, no rational country is going to give up their nuclear weapons again in such an agreement if we don't actually follow through in what our President said, which is: There will be costs if the Russians continue to invade the territory of Ukraine.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. AYOTTE. Mr. President, I ask unanimous consent to have 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. AYOTTE. In summary, I do not expect us to go alone. I would ask our European partners to step up too. It is a shame that the French will continue their recent sale to the Russians to give them further capability of the Mistral class amphibious assault ships. So shame on the French for that because Europe is threatened by the Russian aggression here, and I not only expect our country to follow through, but our allies should be held accountable to follow through as well.

Ukraine matters. We cannot continue to look the other way as Russia thinks they can invade another country without consequences. We can make a difference in this Congress. I urge the President to follow through on his words; otherwise, do not say it if you were not willing to back it up, Mr. President.

The Ukrainian people deserve our support. They love America. All they want is to determine their own future instead of Vladimir Putin determining their future for them.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Virginia.

EMBASSY SECURITY

Mr. KAINE. Mr. President, I rise today to talk about an important topic, the topic of embassy security. The safety of American embassies abroad and especially our capital "A" Ambassadors and our small "a" ambassadors, who go to work every day in communities across the globe—182 countries where we have embassies—to represent the United States.

Embassy security has been in the news yesterday. The President announced the dispatch of 275 additional marines to Baghdad to protect the American Embassy and embassy personnel in Iraq. Today we received the news of the excellent law enforcement work that has been done by the United States to finally capture one of the leaders behind the raid on Benghazi in September of 2012. Obviously, embassy

security is an important and very newsworthy and topical issue.

Mr. President, I think you have noticed what I have, that in the aftermath of the tragic attack on the embassy compound in Benghazi that cost four Americans their lives, there has been much discussion in Congress about Benghazi. But too much of it, in my view, has been focused on trying to play the blame game than trying to talk about what we should do to minimize the chance of such an incident happening again.

We have seen attacks on embassies. From the attack on the U.S. Embassy in Beirut in the 1980s, to attacks on embassies in Africa in the 1990s, we have seen this before. But what we ought to be talking about in this body and in the House is how to make our embassies safer instead of trying to play a blame game.

I want to bring in this speech one fact about embassy security that should trouble us a lot, and especially us in the Senate. Of the 182 countries in the world that have United States Ambassadors, 54 of the U.S. Ambassador posts are currently vacant. Nearly 30 percent of the ambassador posts in the world—where the U.S. Ambassador goes to represent us—are currently vacant. Ten of the posts are vacant because the White House has not forwarded a name to the Senate, which is responsible for the consent to those nominations. One of those 10—Syria—has not been forwarded because of security reasons. Twenty-one posts are vacant because the White House has sent nominees but the nominees are pending in the Foreign Relations Committee, where I serve. The chairman of the committee, Senator MENENDEZ, is doing all he can to move those through but is facing some pretty significant opposition, often from members of the committee. And 23 of the positions are vacant because they have gone through the Foreign Relations Committee, they have received overwhelming votes of support, but they are being held here on the Senate floor with no action on the Senate floor, often for a very long period of time.

Let me tell you about those 23 nations. The ambassador to the nation of Djibouti, which is a critical partner in Africa for the United States in counterterrorism operations—his nomination has been pending in the Senate for 67 days; for the Czech Republic, the nomination has been pending for 95 days; for the Bahamas, the nomination has been pending for 122 days; for the State of Kuwait, in the Middle East—a critical area—the nomination has been pending for 179 days; for Bosnia and Herzegovina, 200 days; for Hungary, 215 days; for New Zealand, 223 days; for Iceland, 223 days; for Zambia, 270 days; for the Gabonese Republic, 270 days; for the Islamic Republic of Mauritania, pending here in the Senate, 272 days; for the Kingdom of Norway, 272 days; for Jamaica, 272 days; for the Kingdom of Lesotho, 312 days; for the Republic

of Palau, 313 days; for the Democratic Republic of Timor-Leste, 313 days; for Cameroon, 314 days; for Namibia, 314 days; for Niger—Niger, critical in issues of terrorism and counterterrorism in Africa—the nomination on this floor, pending for 314 days; for Trinidad and Tobago, 314 days; for Albania, 319 days; for Sierra Leone, 335 days; and topping the list, a strong ally of the United States, the Republic of Peru, the ambassadorial nomination has been pending on the floor of the Senate for 353 days—almost a year.

Again, these vacancies represent nearly 30 percent of all of the in-country ambassadorships that the United States sends around the globe—essentially just hanging a sign out in front of the Embassy of the United States with a big “vacant” sign on it.

I would submit that “vacancies” means an uncertainty about leadership and that hurts embassy security. Mr. President, you and I were both Governors. We know that our agencies ran a lot better when they knew who the leaders were. An interim, a part-time, a temporary, an acting—that is not the same as a leader. That is not the same as a confirmed ambassador. So our personnel, who are serving in these 54 embassies around the world—often in very dangerous places in the world—are there waiting for their leader to come. Now they have a deputy in charge of the mission, and those people are usually fine, but even that deputy is waiting to find out: Who will our leader be? Times of uncertainty increase insecurity.

So I would say to my colleagues, if you really care about Benghazi and embassy security, you should care about confirming ambassadors in these 54 nations that are waiting for American leadership.

The ability to promptly nominate and confirm these ambassadors is directly connected to our security, and I would argue that individuals blocking or slowing down ambassadorial appointments are not being accurate when they claim to support embassy security.

The effects of these vacancies are not just in the security of our embassies, obviously. I often hear colleagues on the floor of this body or see them on television criticizing America as retreating from global leadership. Well, if you care about America's global leadership, why allow 54 American embassies around the world to not have ambassadors? Why allow those vacancies to exist?

The existence of these vacancies—some for nearly as long as a year—sends a pretty powerful message to the nations where the vacancies exist. And the message could be interpreted one of two ways. Maybe the United States is retreating from global leadership because if the United States cared, the Senate would confirm ambassadors. Or in some countries the interpretation is a little bit different. It is not about global leadership. Some countries in-

terpret it as: Maybe we are not that important to the United States. It is a sign of disrespect to nations as important as Niger, some of the nations in the Middle East I mentioned, France, to not have ambassadors for extended periods of time.

This is a very important issue and I do not think this body, which is constitutionally charged with this responsibility, should be complicit in sending a message to the nations of the world that we are retreating or that we are uninterested in our relationships with them.

Let me conclude by coming back to the subject of embassy security. Mr. President, I know you, like I, in this job have had the opportunity to travel around the world and meet some of our embassy personnel. What I try to do when I travel—I imagine you try to do the same—is not just spend time with the capital “A” ambassadors—that is important—but I also try to spend time with the small “a” ambassadors: the Foreign Service officers on their first or second tour who have chosen—even though the salary is not great, even though the working conditions can be tough, even though security challenges can be significant—to serve the United States abroad.

I was in Beirut, in Lebanon, in February with Senator ANGUS KING of Maine. Let me tell you about our personnel in Lebanon. Because of the dangers in that country, they all have to live on the embassy compound. They live there in Beirut, which has been subject to some very difficult times. The U.S. Marine barracks in Beirut were bombed in the 1980s. The U.S. Embassy was bombed. Hundreds were killed in those two bombings. The U.S. embassy annex was bombed. Other U.S. Embassy personnel were targeted and killed. Hundreds of Americans serving not just in the military but as Foreign Service officers lost their lives in Lebanon, representing us in the best way they could.

For that reason our embassy personnel live on the embassy compound in Beirut. Guess what kind of personal life they have. They are allowed 6 hours a week personal time to be off the embassy compound, and they have to be escorted by security. They described what it is like. They might want to go to the beach, and traffic is horrible, so in that 6 hours a week, it is an hour and a half to get to where they want to go, and then it is an hour and a half to get back from where they want to go, so what they really get is about 3 hours a week of personal time. That is what these wonderful American public servants do.

I then went to Egypt, and I had a visit with a young first-tour Foreign Service officer there who was talking about needing to finish a meeting we were having because of the Skype date with her husband. I was not familiar with that terminology. She serves in a capacity where, for safety and other reasons, it was not ideal for him to be

there with her. So on Friday nights they both dress up, and with a glass of wine they then fire up the Skype and talk across thousands of miles to try to keep their marriage alive. This is a person who is thrilled to serve the United States in a dangerous part of the world. Again, it is not for the salary. It is not for the comfort. It is for the honor of representing this country.

We owe them something. We owe them a secure operation that can make them feel—not completely safe because there is no guarantee of safety for our personnel in many of these countries but at least that we are doing all we can to try to keep them safe.

I stand today because we are not doing all we can to keep these people safe. To the extent that we in the Senate are responsible for the vacancies of nearly 30 percent of the ambassadorial posts around the world—and the absence of ambassadors leads to additional insecurity—we are not honoring our obligation to the brave Americans who want to serve this Nation in very dangerous places.

I urge my colleagues, if you are talking about Benghazi and the need for more embassy security, you should be promptly confirming ambassadors to represent the United States. If you are worried about the role of America in the world, and you are asserting, critically, that America is retreating from global leadership, you should be confirming promptly the ambassadorial nominees who are pending before the Senate.

With that, Mr. President, I thank you and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DONNELLY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAINE.) Without objection, it is so ordered.

VOTE ON KADZIK NOMINATION

Under the previous order, the question is, Will the Senate advise and consent to the nomination of Peter J. Kadzik, of New York, to be an Assistant Attorney General.

Mr. DONNELLY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

The PRESIDING OFFICER (Ms. WARREN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 199 Ex.]

YEAS—55

Baldwin	Heitkamp	Pryor
Begich	Hirono	Reed
Bennet	Johnson (SD)	Reid
Blumenthal	Kaine	Rockefeller
Booker	King	Sanders
Boxer	Klobuchar	Schatz
Brown	Landrieu	Schumer
Cantwell	Leahy	Shaheen
Cardin	Levin	Stabenow
Carper	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Walsh
Feinstein	Merkley	Warner
Franken	Mikulski	Warren
Gillibrand	Murphy	Whitehouse
Hagan	Murray	Wyden
Harkin	Nelson	
Heinrich	Paul	

NAYS—43

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	
Enzi	McConnell	

NOT VOTING—2

Casey	Cochran
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

COMMERCE, JUSTICE, SCIENCE,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2015—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 428, H.R. 4660, an act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes.

Harry Reid, Barbara Mikulski, Richard J. Durbin, Elizabeth Warren, Tim Kaine, Richard Blumenthal, Robert P. Menendez, Debbie Stabenow, Christopher Murphy, Patrick J. Leahy, Sheldon Whitehouse, Sherrod Brown, Patty Murray, Tom Harkin, Tom Udall, Christopher A. Coons, Robert P. Casey, Jr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum

call has been waived. The question is, Is it the sense of the Senate that debate on the motion to proceed to Calendar No. 428, H.R. 4660, an act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2015, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Mississippi (Mr. COCHRAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 95, nays 3, as follows:

[Rollcall Vote No. 200 Leg.]

YEAS—95

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Portman
Begich	Harkin	Pryor
Bennet	Hatch	Reed
Blumenthal	Heinrich	Reid
Blunt	Heitkamp	Risch
Booker	Hirono	Roberts
Boozman	Hoeven	Rockefeller
Boxer	Inhofe	Rubio
Brown	Isakson	Sanders
Burr	Johanns	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Scott
Carper	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Corker	Levin	Toomey
Cornyn	Manchin	Udall (CO)
Crapo	Markey	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Walsh
Durbin	McConnell	Warner
Enzi	Menendez	Warren
Feinstein	Merkley	Whitehouse
Fischer	Mikulski	Wicker
Flake	Moran	Wyden
Franken	Murkowski	

NAYS—3

Heller	Lee	Paul
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NOT VOTING—2

Casey	Cochran
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The PRESIDING OFFICER. On this vote the yeas are 95, the nays are 3. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from New Jersey.

NOMINATIONS

Mr. MENENDEZ. Madam President, I rise to speak to the 42 very well-qualified and very patient nominees who, through no fault of their own and certainly no fault of the Foreign Relations Committee and no fault of their records of service to this Nation that have been established, are trapped on the executive calendar, unable to assume their appointed posts because the Republican leadership has chosen ob-

structionism as a political tool. They have consciously chosen the strategy to do nothing, pass nothing, approve nothing, and leave, most importantly in my view, key diplomatic posts unfilled for months, threatening in many cases national security and our ability to conduct foreign policy.

Those who say that Congress is broken are wrong. The Congress isn't broken, but if the Republican leadership wants you to believe it is, they use every parliamentary tool to make certain, among other posts, we cannot fill key foreign policy positions. And the world waits, American foreign policy waits, diplomacy waits, and our allies wait to let these nominees and their families have some closure and get to work.

The blame for these posts being left vacant with these people being in political limbo rests squarely on the shoulders of the Republican leadership. It is not a problem with Congress or the Democrats or the President or with the Senate Foreign Relations Committee. Never, to my knowledge, has this body as a political strategy obstructed en masse the appointments of non-controversial career Foreign Service officers who have worked for both Democratic and Republican administrations. Never.

Never have we held up appointments to so many ambassadorial positions, State Department positions, USAID positions, and representatives to the multilateral development banks. Eighteen of the forty-two pending nominees are ambassadors who would fill important posts in the Czech Republic, Bosnia, Albania, Gabon, Mauritania, Cameroon, Niger, Sierra Leone, Djibouti, and Kuwait. Nearly 20 percent—20 percent—of our total ambassadorial presence in Africa is being held up by the Republican leadership. All of them have waited on average 280 days—280 days—for Senate action. That is unfair to them. It is unfair to their families. It is bad policy. It is unnecessary, irresponsible, and completely unacceptable. And it has to end. It harms our regional coordination on issues such as food, security, and counterterrorism.

We are seeing what is happening across Africa, particularly northern Africa, and we have a challenge. We have a challenge that involves our national interests and our national security. You cannot promote the solutions to those challenges if you don't have an ambassador on the ground in those countries. Let us remember that U.S. leadership plays a major role in supporting peace and security efforts alongside our development, democracy, and humanitarian goals across Africa and around the world, preventing us from being able to project power and leadership, leaving us—in my view—vulnerable from a national security standpoint.

In West Africa, the Nigerian terrorist organization Boko Haram is perpetuating a brutal campaign of violence